



PRISONS & CORRECTIONS SECTION
Respectfully submits the following position on:

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HB 4419 & HB 4420

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The Prisons & Corrections Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Prisons & Corrections Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Prisons & Corrections Section is 176.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 15. The number who voted in favor to this position was 9. The number who voted opposed to this position was 0.

Report on Public Policy Position

Name of Section:

Prisons & Corrections Section

Contact person:

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Bill Numbers:

HB 4419 (Heise) Criminal procedure; sentencing; 2-year mandatory sentencing requirement for felony firearm conviction; eliminate. Amends sec. 227b of 1931 PA 328 (MCL 750.227b).

HB 4420 (Gay-Dagnogo) Criminal procedure; sentencing guidelines; sentencing guidelines for crime of felony firearm; provide for. Amends sec. 16m, ch. XVII of 1927 PA 175 (MCL 777.16m).

Date position was adopted:

May 2, 2015

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

15

Number who voted in favor and opposed to the position:

9 Voted for position
0 Voted against position
0 Abstained from vote
6 Did not vote (absent)

Position:

Support and Amend

Explanation of the position, including any recommended amendments:

The Section supports creating guidelines for a felony-firearm conviction, but believes the bill should be amended to clarify that probation be an option when the Guidelines allow for it, and that a term of imprisonment could be served in county jail.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2015-HB-4419> ; <http://legislature.mi.gov/doc.aspx?2015-HB-4420>